

<b>Applicant</b>	Riverbend Corporate Park	
<b>Request</b>	Vacate a portion of NW 2 Street	
<b>Location</b>	South of N.W. 25 Avenue and North of N.W. 22 Avenue	
<b>Legal Description</b>	The R.E.B. Plat, P.B. 74, P. 43	
<b>Property Size</b>	18.16 acres	
<b>Zoning</b>	B-1, B-2 and County B-3	
<b>Existing Land Use</b>	Vacant	
<b>Future Land Use Designation</b>	Northwest Regional Activity Center and County Commercial	
<b>Comprehensive Plan Consistency</b>	Consistent with Land Use Element, Objective 6	
<b>Other Required Approvals</b>	City Commission	
<b>Applicable ULDR Sections</b>	Sec. 47-24.5, Subdivision Regulations	
<b>Notification Requirements</b>	Sign posting within 15 days of meeting	
<b>Action Required</b>	Recommend approval or denial to City Commission	
<b>Project Planner</b>	<b>Name and Title</b>	<b>Initials</b>
	Angela Csinsi, Planner II	
<b>Authorized By</b>	Chris Barton, AICP, RLA, Principal Planner	
<b>Approved By</b>	Marc LaFerrier, AICP, Planning and Zoning Director	

**Request:**

This is a request to vacate NW 2 Street, which is located south of N.W. 25 Avenue and north of N.W. 22 Avenue.

**Property/Project Description:**

The vacation is part of the redevelopment of the site previously known as The Konover Property. The entire site is located at the northwest intersection of Broward Blvd and I-95 and is west of the Tri-Rail Park and Ride lot, south of Delevoe Park and directly north of Broward Blvd. The western boundary is NW 25 Avenue and is the western City limit.

The street was a part of the residential development that has since been demolished. It is now no longer in use and is enclosed as part of the construction site.

**Prior Reviews:**

This application was reviewed by the Development Review Committee (DRC) on June 8, 2004 and all comments have been addressed. The proposal was reviewed by the Property and Right of Way Committee on May 20, 2004 and received unanimous recommendation for vacation. Minutes from the Property and Right-of-Way Committee are attached as **Exhibit 1**.

**Comprehensive Plan Consistency:**

This vacation request is consistent with the Future Land Use Element, Objective 6, which is to: "Continue to redevelop and revitalize blighted areas of the City." This area, as part of the Northwest/Progresso/Flagler Height Community Redevelopment Plan, is identified as a blighted area. This vacation will assist in the redevelopment of the site.

**Planning & Zoning Board Review Options:**

1. If the Planning and Zoning Board determines that the application meets the criteria for vacation and recommends approval of the vacation, the recommendation shall be forwarded to the City Commission for consideration.
2. If the Planning and Zoning Board determines that the criteria have not been met, the board shall deny the application and the procedures for appeal to the City Commission as provided in Section 47-26B, Appeals, shall apply.

**Staff Determination:**

The applicant has submitted a narrative outlining compliance with the criteria for vacation of right-of-way which is as follows:

ULDR Sec. 47-24.6, Vacation of rights-of-way

- a. The right-of-way or other public place is no longer needed for public purposes; and  
**The existing right-of-way to be abandoned is no longer needed for public purpose.**
- b. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas; and  
**The design of the proposed site does not cause an adverse impact to surrounding areas and do not require alternate routes.**
- c. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area; and  
**The design of the proposed site does not require any means of turn around and does not create any dead end.**
- d. The closure of a right-of-way shall not adversely impact pedestrian traffic; and  
**The closure does not impact pedestrian traffic.**

- e. All utilities located within the right-of-way or other public place have been or will be relocated pursuant to a relocation plan; and the owner of the utility facilities has consented to the vacation; or a utilities easement has been retained over the right-of-way area or portion thereof; or an easement in a different location has been provided for the utility facilities by the owner to the satisfaction of the city; or any combination of same and utilities maintenance shall not be disrupted.

**The existing utilities will be removed per the site utility demolition plan which has been approved by the Engineering Department. Consent letters from utility providers with jurisdiction over the right-of-way have been provided.**

FPL, Bell South and Comcast have facilities located in the right-of-way but have no objection to the vacation, provided the applicant relocates the facilities and provides for a new easement. This is currently being accomplished through the replatting process.

Staff has determined that the proposed vacation meets the criteria in Sec 47-24.6. Should the request be approved recommends the following condition.

1. That all utilities that are required to be relocated be done so at the applicant's expense.